

### **REMARKS**

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 18-26, 29, 30, 37, 39, 41-43, 46, and 48 are amended as part of this Response. Claims 15, 16, 17, 27, 28, 35, 38, 40, 47, 49, 50, 51, 52, 53, and 54 are canceled without prejudice as part of this Response. New claims 55-62 are added as part of this Response. Claims 18-26, 29-34, 37, 39, 41-44, 46, 48, and 55-62 are pending in this application.

As part of this response, claims 15, 16, 17, 27, 28, 35, 38, 40, 47, 49, 50, 51, 52, 53, and 54 have been canceled without prejudice, claims 18-26 and 29 have been amended to depend from allowable claim 30 rather than rejected claim 15, and claims 37, 39, 41-44, and 46 have been amended to depend directly or indirectly from allowable claim 48 rather than rejected claim 35. These claim amendments and cancellations have been made in order to expedite issuance of the allowable claims. The claim amendments and cancellations have not been made to overcome, and are not to be interpreted as having been made to overcome, any of the rejections in the May 26 Office Action. Applicant reserves the right to pursue one or more of these claims in a continuation application(s).

### **Allowable Subject Matter**

Claim 48 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. As part of this Response, claim 48 has been rewritten in independent form including all of the elements of its base claim (claim 35) and intervening claim (claim 47). As such, Applicant respectfully submits that claim 48 is in allowable form.

With respect to claim 30, the May 26 Office Action states, at p. 8, that "Claim 30 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, first paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims." The May 26 Office Action also states that claims 31-34 depend from claim 30, and therefore would be allowable. Claim 30, as originally filed, depended from base claim 15 and intervening claims 27 and 28. In Applicant's previous response, filed 3/17/04, claim 30 was rewritten in independent form, incorporating the elements of its base claim (claim 15) and intervening claims (claims 27 and 28). However, the reference to claim 28 was accidentally left in claim 30. As part of this Response, claim 30 is amended to remove the reference to claim 28. Given that claim 30 already incorporates the elements of claims 15, 17, and 28 as originally filed, and that claim 30 no longer depends from base claim 15 (which is rejected under 35 U.S.C. §112, first paragraph), Applicant respectfully submits that claim 30 is in allowable form.

### 35 U.S.C. § 112

Claims 15-34 and 50-52 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully disagrees with this rejection. However, in order to expedite issuance of the allowable claims, claims 15-17, 27-28, and 50-52 have been canceled without prejudice and claims 18-26 and 29 have been amended to depend from allowable claim 30 rather than rejected claim 15.

As discussed above, claim 30 has been amended to no longer depend from rejected claim 15. Claims 31-34 depend from amended claim 30. Thus, Applicant respectfully submits that claims 30-34 comply with 35 U.S.C. §112, first paragraph.

Accordingly, Applicant respectfully submits that the §112 rejections are moot and that the §112 rejections be withdrawn.

### **Art Rejections**

Claims 15-21, 24-25, and 50-52 stand rejected under 35 U.S.C. §102(b) as being unpatentable over Japanese Patent 09-261580 to Hiromichi (hereinafter "Hiromichi").

Claims 35-40, 43-44, 46, 49, and 53-54 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 6,292,574 to Schildkraut et al. (hereinafter "Schildkraut").

Claims 22-23 and 47-48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hiromichi or Schildkraut in view of U.S. Patent No. 6,285,410 to Marni (hereinafter "Marni").

Claims 41-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hiromichi or Schildkraut in view of U.S. Patent No. 6,204,858 to Gupta (hereinafter "Gupta").

Claims 26-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hiromichi in view of Schildkraut.

Applicant respectfully disagrees with these rejections. However, in order to expedite issuance of the allowable claims, claims 15, 16, 17, 27, 28, 35, 38, 40, 47,

49, 50, 51, 52, 53, and 54 have been canceled without prejudice, claims 18-26 and 29 have been amended to depend from allowable claim 30 rather than rejected claim 15, and claims 37, 39, 41-44, and 46 have been amended to depend directly or indirectly from allowable claim 48 rather than rejected claim 35.

Accordingly, Applicant respectfully submits that the 35 U.S.C. §102 and 35 U.S.C. §103 rejections are moot, and requests that the 35 U.S.C. §102 and 35 U.S.C. §103 rejections be withdrawn.

#### **New Claims**

New claims 55-62 have been added. Independent claim 55 includes features analogous to those of allowable claim 48, although claim 55 is directed to one or more computer readable media whereas claim 48 is directed to a method.

With respect to new claims 56-62, claims 56-62 depend directly or indirectly from new claim 55. Applicant respectfully submits that new claims 56-62 are allowable over the cited references due to their dependency on claim 55, as well as the individual features included in the respective claims.

For at least these reasons, Applicant respectfully submits that new claims 55-62 are allowable over the cited references.


#### **Conclusion**

Claims 18-26, 29-34, 37, 39, 41-44, 46, 48, and 55-62 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the

undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: 6/22/04

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